

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 7 1979Returned to applicant for correction APR 17 1980Corrected application filed APR 22 1980 Map filed APR 22 1980The applicant Old Soldier Mineralsc/o 421 Court Street of Elko  
Street and No. or P.O. Box No. City or TownNevada 89801 hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No.point of diversion of a portionof water heretofore appropriated under application 39372(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground  
Name of stream, lake, underground, spring or other source.
2. The amount of water to be changed 0.9 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for mining, milling and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore used for " " "  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 13, T.42N., R.60E., MDM,  
at a point from which the SE corner of said Section 13 bears S.55° 19' E.,  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
721 ft.
6. The existing point of diversion is located within NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 24, T.42 N., R.60 E., MDM at  
a point from which the NE corner of said section 24 bears N. 47° 08' E., 1,871 ft.  
If point of diversion is not changed, do not answer.  
(Note: well drilled under 39372 actually located in NW $\frac{1}{4}$  NE $\frac{1}{4}$  at a point from which  
the NE corner of said Sec 25 bears N.52° 47' E., 2,071 ft., less than 300 ft.  
dist. from proposed location)
7. Proposed place of use W $\frac{1}{2}$  NE $\frac{1}{4}$  Section 24, T.42 N., R.60 E., M.D.M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use W $\frac{1}{2}$  NE $\frac{1}{4}$  Section 24, T.42 N., R.60 E., M.D.M.  
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use has been from January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drill deep well, install casing and  
State manner in which water is to be diverted, whether by dam or other works,  
submersible pump, with pipeline to place of use.  
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$20,000.00
13. Estimated time required to construct works.....3 years
14. Estimated time required to complete the application of water to beneficial use.....5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Original well (39372) did not yield enough water; second point of diversion necessary. Well drilled under 39372 located N. 85° 50' W., 279 ft. from original proposed location.

Compared. lp/js bc/bl Applicant. Old Soldier Minerals

By. /s/ William A. Nisbet  
William A. Nisbet, agent  
421 Court Street  
Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 39372 is issued subject to the terms and conditions imposed in said Permit 39372 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permit 39372 shall not exceed 80.0 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.9.....cubic feet per second, but not to exceed 80.0

.....million gallons annually.

Actual construction work shall begin on or before.....January 8, 1981

Proof of commencement of work shall be filed before.....February 8, 1981

Work must be prosecuted with reasonable diligence and be completed on or before.....January 8, 1982

Proof of completion of work shall be filed before.....February 8, 1982

Application of water to beneficial use shall be made on or before.....January 8, 1984

Proof of the application of water to beneficial use shall be filed on or before.....February 8, 1984

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....**FEB 20 1981**

Completion of work filed.....**FEB 27 1981**

Proof of beneficial use filed.....**JAN 20 1982**

Cultural map filed.....

Certificate No. **9925**

Issued.....

**APR 05 1982**

IN TESTIMONY WHEREOF, I.....**WILLIAM J. NEWMAN**,  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this.....**8th**.....day of.....**JULY**.....

A.D. 19.....**80**

*William J. Newman*  
State Engineer